

REMARKS

I. Introduction

Claims 1-20 are pending in this application. This response accompanies a Request for Continued Examination. The present amendment amends claim 1. The present amendment also adds new claims 12-20. The present response is an earnest effort to place all claims in proper form for allowance. Reconsideration and passage to issuance are respectfully requested.

A telephone conversation was conducted with Examiner D Adamo on October 6, 2004. In this telephone conference, the Examiner recommended filing a Request for Continued Examination specifically redrafting independent claim 1 starting from the table top and working downward to distinguish this structure from the Guice patent. The Examiner further suggested writing it in a form in which the Applicant's invention has structure as opposed to adding a limitation. Finally, the Examiner suggested having more interrelated structure elements to avoid Guice.

The Applicant has adopted the Examiner's suggestions.

II. Issues Under 35 U.S.C. § 102 and § 103

Previously, the Examiner had rejected claims 1, 2, 5 and 11 under 35 U.S.C. § 102(b) as being anticipated by Guice, Des. 190,774. Additionally, the Examiner had rejected claims 3, 4 and 6-10 under 35 U.S.C. § 103(a) as being unpatentable over Guice, claims 1-10 as being unpatentable over Borglum, and claim 11 as being unpatentable over Borglum in view of Kovalchek.

As seen in amended claim 1, the Applicant submits a complete revision that essentially claims the specific structure of the leg support, the interrelated orientation of the upright post,

first ground engaging member, second ground engaging member, and seating support post.

Additionally, the Applicant has provided specific interrelated structural elements clearly claiming the leg support with its inventive layout and orientation of corresponding members. Most notably, claim 1 requires "the second ground engaging member having an inner end attached to the first ground engaging member outer end and an exterior end beneath the seat structure; a seating support post attached to the second ground engaging member and extending upward". As seen in Guice, particularly Fig. 2, there is no second ground engaging member. Claims 2-20 depend from claim 1 and are believed to be allowable for the reasons as stated regarding claim 1.

III. New Claims

New claims 12 and 13 were added to include features from the original filed, and later amended, claim 1.

The Examiner is requested to particularly note new claim 14 which is patentably distinguishable over the prior art cited, Guice, Borglum and Kovalchek, the Applicant requires in claim 14 "wherein the upright post angles inward from the lower surface of the table top to promote wheelchair access". The prior art positions its upright posts perpendicular with the table top as opposed to the Applicant's inward diagonal from the lower surface of a table top.

Furthermore, the Examiner is requested to particularly evaluate new claims 15-18 which require "a single tube with bends" to be used for various arrangements of the upright post, first ground engaging member, second ground engaging member, and seat post. The prior art does not use such a tubular construction for all of these members.

Finally, the Examiner is asked to particularly evaluate new claim 20 which claims "the upright post includes a first table support member and a second table supporting member, each

table supporting member having an upper end attached near a side of the table top and extending diagonally downward to a lower end in approximately vertical alignment with the longitudinal axis of the table top". None of the cited prior art none has an angle inward from the sides of the table top to the center line of the table top. Support for this new claim is clearly seen in Figure 8 of the Applicant's drawings.

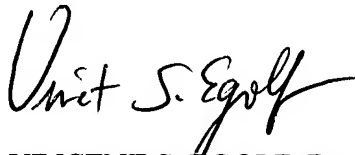
IV. Conclusion

It is respectfully submitted that all claims are in proper for immediate allowance.
Reconsideration and passage to allowance is respectfully requested.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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